



Atty Dkt. No.: IRVN-001DIV
USSN: 09/875,349

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| PRELIMINARY AMENDMENT Address to: Box Assistant Commissioner for Patents Washington, D.C. 20231 | Attorney Docket Confirmation No. | IRVN-001DIV 8040 |
| | First Named Inventor | John C. Hiserodt |
| | Application Number | 09/875,349 |
| | Filing Date | June 5, 2001 |
| | Group Art Unit | 1642 |
| | Examiner Name | Christopher H. Yaen |
| | Title | "Cancer Immunotherapy Using Autologous Tumor Cells Combined With Cells Expressing a Membrane Cytokine" |

Dear Sir:

This Preliminary Amendment is filed with a Request for Continued Examination (RCE). Applicants timely filed a Notice of Appeal on November 3, 2003, setting the date for filing an Appeal Brief to January 3, 2004. This amendment is accompanied by a Petition for a Five Month extension of time, making the RCE and Preliminary Amendment timely filed on or before June 3, 2004.

Entry of the amendments below prior to consideration of the application on its merits is respectfully requested.

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01 FC:2202 9.00 DA
02 FC:2201 43.00 DA

Conclusion

Applicants respectfully request that all outstanding rejections be reconsidered and withdrawn.

Applicant submits that all of the claims are in condition for allowance, which action is requested. If the Examiner finds that a telephone conference would expedite the prosecution of this application, please telephone the undersigned at the number provided.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number IRVN-001DIV.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date:

June 2, 2004

By:

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